

JUN 06 2002

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20534

In the Matter of)
)
Amendment of 73.202 (b)) MM Docket No. _____
Table of Allotments)
FM Broadcast Stations)
(Muldrow, OK))

To: John Karousos, Chief
Allocations Branch
Mass Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, David P. Garland respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 286 A at Muldrow, Oklahoma.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 286A to Muldrow, Oklahoma, as that community's first aural broadcast transmission service. Muldrow is located in Sequoyah County in the eastern part of the state near the Arkansas state line. Muldrow is a town with a board of trustees and a mayor. The Zip Code for Muldrow is 74948. The year 2000 census puts the population at 3,104.

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Petition for Rule Making
Muldrow, Oklahoma
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Petitioner is aware of the conflict with Class D station K285CN Fort Smith, Arkansas and will service the licensee of that station with a copy of this NPRM.

Attached hereto is a channel study confirming that Channel 286 A can be allocated to Muldrow, Oklahoma, consistent with the FCC's FM separation rules. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992).

Reference coordinates are

35 29 47 N
94 36 04 W

Should this petition be granted, and Channel 286 A be allotted to Muldrow, Oklahoma Petitioner will apply for Channel 286 A and after it is authorized, will promptly construct the new facility. The above information is true and complete to the best of my knowledge.

Respectfully submitted,



David P. Garland
1110 Hackney St.
Houston, Texas 77023
713-921-9603

Muldrow, Ok.

REFERENCE
35 29 47 N
94 36 04 W

CLASS = A
Current Spacings

DISPLAY DATES
DATA 05-22-02
SEARCH 05-22-02

----- Channel 286 - 105.1 MHz -----

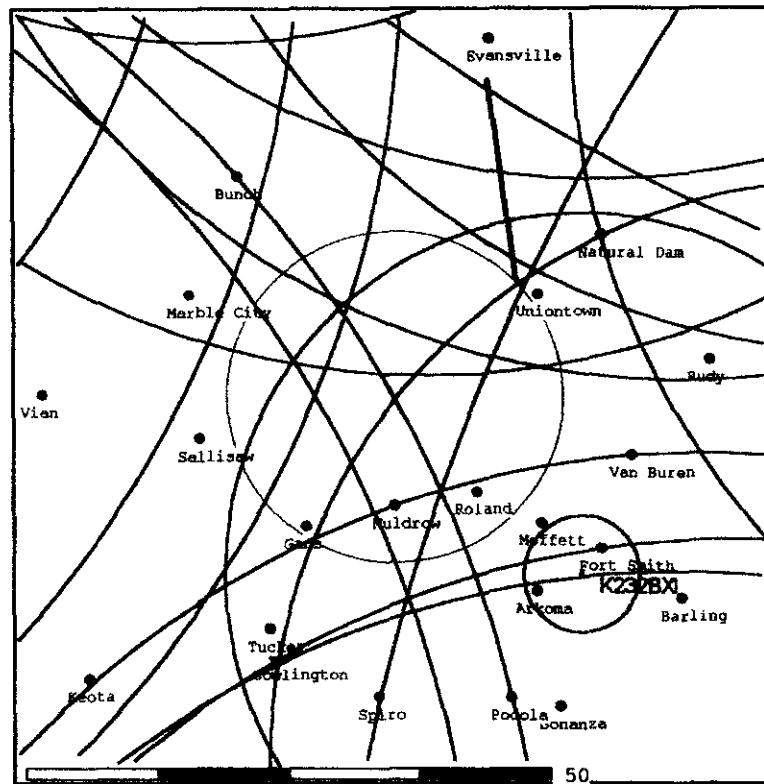
Call	Channel	Location		Dist	Azi	FCC	Margin
K285CN	LIC 285D	Fort Smith	AR	24.38	133.3	34.0	-9.62
KTMCFM	LIC 286A	Mcalester	OK	115.11	240.8	115.0	0.11
KRBK	LIC 284C2	Booneville	AR	55.20	128.9	55.0	0.20
ALLO	USE 284C2	Booneville	AR	55.20	128.9	55.0	0.20
ALLO	USE 289C1	Siloam Springs	AR	77.06	2.4	75.0	2.06
KMCKFM	LIC 289C1	Siloam Springs	AR	81.22	19.6	75.0	6.22
ALLO	USE 286A	Mcalester	OK	121.64	241.5	115.0	6.64
KJMM	LIC 287C2	Bixby	OK	113.09	291.4	106.0	7.09
ALLO	USE 286C1	Conway	AR	207.18	111.4	200.0	7.18
KMJX	LIC 286C1	Conway	AR	207.18	111.4	200.0	7.18
ALLO	USE 287C3	Mena	AR	98.73	162.8	89.0	9.73
KXNA	LIC 285A	Springdale	AR	89.02	31.3	72.0	17.02
KQOR	LIC 287C3	Mena	AR	107.36	162.5	89.0	18.36
ALLO	USE 287C2	Bixby	OK	124.41	292.7	106.0	18.41
K232BX	LIC 232D	Fort Smith	AR	24.38	133.3	5.5	18.88
KQOR.C	CP 287C3	Mena	AR	108.93	165.7	89.0	19.93
ALLO	USE 285A	Springdale	AR	94.56	12.0	72.0	22.56
ALLO	VAC 287A	St. Paul	AR	95.46	68.7	72.0	23.46
KOSP	LIC 286C2	Willard	MO	195.40	29.7	166.0	29.40
AP286	APP 286L1	Jay	OK	101.77	350.1	67.0	34.77
ALLO	USE 283C1	Pryor	OK	111.72	301.7	75.0	36.72
KMYZFM	LIC 283C1	Pryor	OK	111.72	301.7	75.0	36.72
ALLO	USE 233C2	Barling	AR	61.30	120.3	15.0	46.30
KOLX	LIC 233C2	Barling	AR	61.30	120.3	15.0	46.30
RADD	ADD 286A	Wright City	OK	166.25	194.7	115.0	51.25
K232BI	LIC 232D	Tahlequah	OK	58.17	323.1	5.5	52.67
K285AY	LIC 285D	Havana	AR	91.49	113.6	34.0	57.49
ALLO	USE 286C2	Willard	MO	224.02	24.6	166.0	58.02
K288CH	LIC 288D	Booneville, Etc.	AR	91.49	113.6	26.0	65.49
RADD	ADD 286A	Hugo	OK	191.64	206.6	115.0	76.64
KRIGFM	LIC 285C3	Nowata	OK	172.98	323.6	89.0	83.98
K232AV	LIC 232D	Booneville	AR	91.49	113.6	5.5	85.99
RADD	ADD 285A	Broken Bow	OK	158.05	185.5	72.0	86.05
ALLO	USE 287C3	Columbus	KS	175.58	353.2	89.0	86.58
ALLO	USE 233A	Locust Grove	OK	98.93	320.1	10.0	88.93
ALLO	USE 288A	Danville	AR	120.30	113.8	31.0	89.30
KEMX	LIC 233A	Locust Grove	OK	100.83	326.5	10.0	90.83
RADD	ADD 289A	Clayton	OK	121.97	215.9	31.0	90.97
ALLO	USE 285C3	Nowata	OK	181.67	329.4	89.0	92.67
KJML	LIC 287C3	Columbus	KS	181.77	357.4	89.0	92.77
KREK	LIC 285A	Bristow	OK	171.39	281.4	72.0	99.39
ALLO	USE 285A	Bristow	OK	171.39	281.4	72.0	99.39
KYEL.C	CP 288A	Danville	AR	131.89	109.0	31.0	100.89

Muldrow, Ok

FMCONT^(TM) LOCATE STUDY

Ch 286 A
105.1 MHz

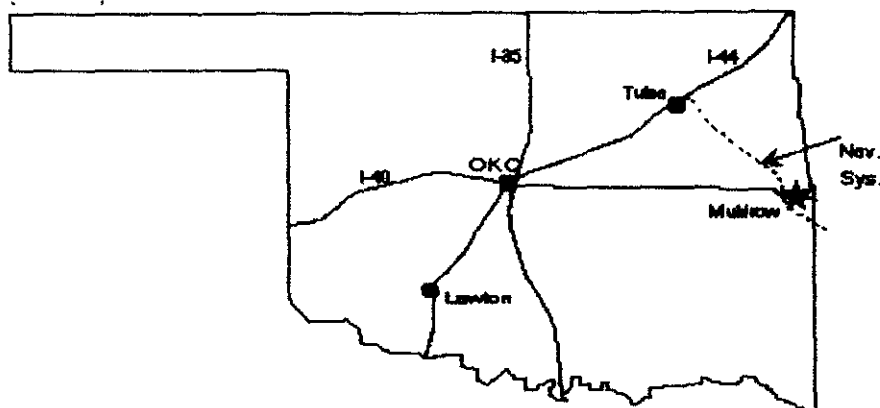
N. Lat. 35 29 47
W. Lng. 94 36 04



Scale= 1:664,063

V-Soft Comm Co

Call	CH#	Location		D-KM	Azi	FCC	Margin
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City: Muldrow

County: Sequoyah

Population

Data from the 2000 population census place the Muldrow population at 3,104. This is an increase of 7.4% from 1980. 7.96% of the population of Sequoyah County resides in Muldrow.

<u>Area</u>	<u>1970</u>	<u>1980</u>	<u>1990</u>	<u>2000</u>
City	1,680	2,538	2,889	3,104
County	23,370	30,749	33,828	38,972
30 Mile Radius	N/A	N/A	85,400	96,800

Percent Distributions of the Population by Race - 2000

In Muldrow, 69.6% of the population is White, 1.8% is Black, 16.4% is Native American and the remaining 12.2% is comprised of all other races.

Labor Force

The Sequoyah County labor force was 17,201 in 2000. Participation rate in the county labor force constitutes 68.28% of males and 49.83% of females. (*See footnote on the last page for more info on labor.)

<u>City Labor Force Factor</u>	<u>Male</u>	<u>Female</u>	<u>Total</u>
Civilian Labor Force (1990)	558	581	1,139
Employed (1990)	519	534	1,053
Unemployed persons within 30 miles (2000)	1,020	800	1,820

Climate

The average January temperature in Muldrow is 39 degrees Fahrenheit with a July temperature average of 80 degrees. The area receives an average of 44 inches of rain annually and 6 inches of snow. The average number of flying days is 347.

General Government

Muldrow is a town with a board of trustees and mayor. There is a comprehensive city plan. The city provides garbage service.

Public Safety

Muldrow has 20 volunteer fire personnel and 9 full-time police officers. The city's fire insurance has a 6 classification and the adjacent area has a 6 classification.

Utility Providers

Utility services are provided primarily by the following carriers:

CERTIFICATE OF SERVICE

I, David P. Garland, hereby certify that on this 22nd day of May, 2002, I caused copies of the foregoing "Notice of Proposed Rulemaking" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons.

Ms. M. R. Salas, Secretary
FCC
Portals II, TW-A325, 12th Street, SW
Washington, DC 20554

Mr. Fred Baker
Licensee
K285CN
605 N. Greenwood
Ft. Smith, Arkansas 72901



David P. Garland